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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/689,092

10/20/2003

Lung-Po Tsai

7257/71304

3811

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08/03/2006

Cooper & Dunham LLP
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New York, NY 10036

EXAMINER

WEINSTEIN, LEONARD J

ART UNIT

PAPER NUMBER

3746

DATE MAILED: 08/03/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/689,092

Applicant(s)

TSAI, LUNG-PO

Examiner

Leonard J. Weinstein

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3746

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 20 October 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-5 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-5 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 10/20/2003 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Specification

1. The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed. A more acceptable title would be an "A compressor enclosed by 2 symmetrical halves and having a means for illuminating... etc."

Drawings

2. The drawings are objected to under 37 CFR 1.83(a) because they fail to show inflatable toy opening (article 81) as described in the specification. Any structural detail that is essential for a proper understanding of the disclosed invention should be shown in the drawing. MPEP § 608.02(d). Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top

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margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR

1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action.

The objection to the drawings will not be held in abeyance.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

5. Claims 1, 2, and 5 are rejected under 35 U.S.C. 103(a) as being unpatentable over Murphy (US Patent No. 5,403,163) in view of Bradbury et al. et al. (US Patent No. 6,129,528) and Kenny et al. (US Patent No. 3,322,331) . With regards to claim 1 Murphy '163 teaches a housing being composed of two symmetrical semi-housings (Murphy – Figure 11 articles 123 and 153), wherein each semi-housing has multiple feet formed at a lower side thereof (Murphy –

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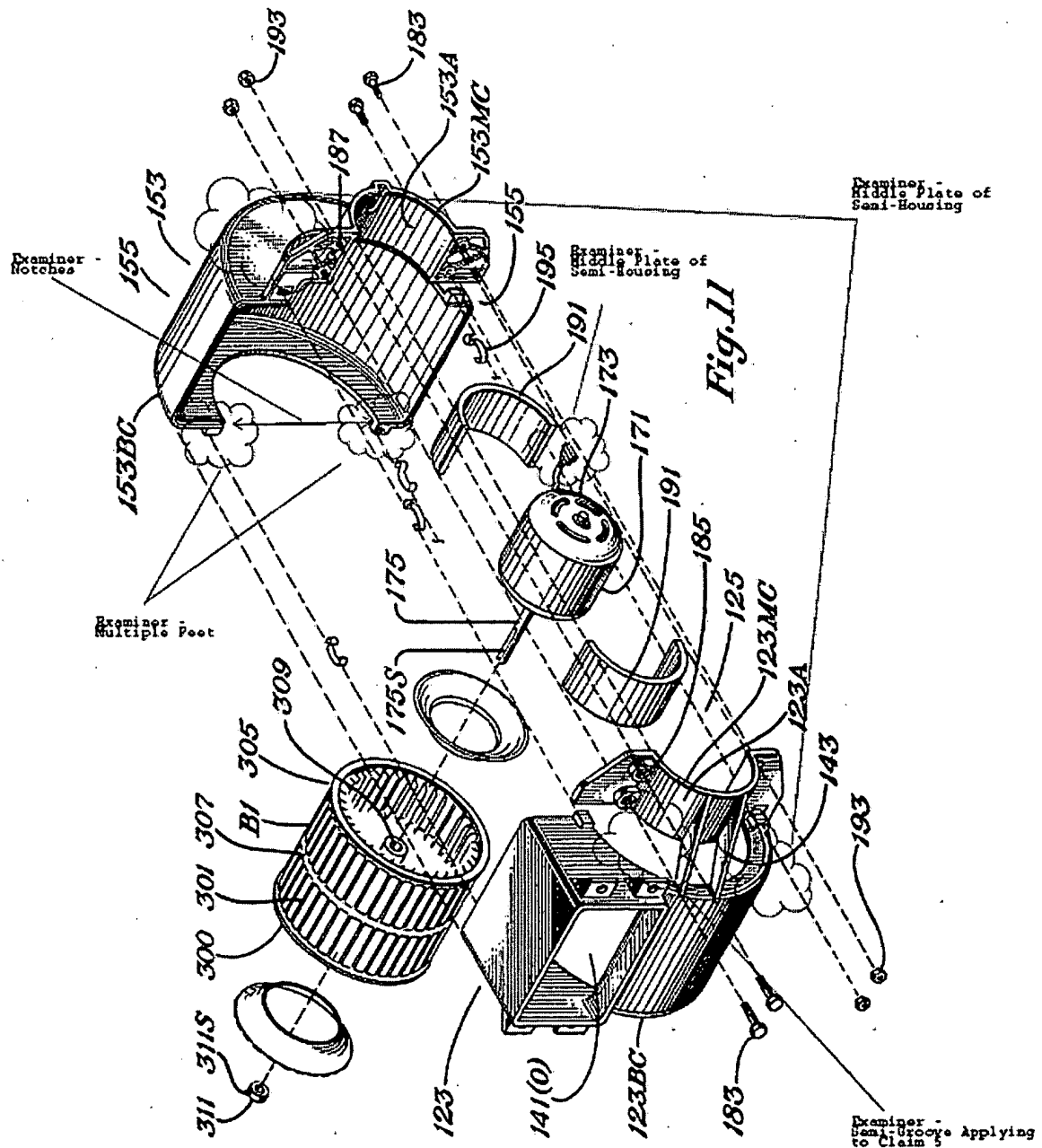
Figure 11 articles 123 and 153), multiple notches respectively defined between the feet (Murphy – Figure 11 articles 123 and 153), an upper plate formed at an upper portion of said semi-housings (Murphy – Figure 11 articles 123MC and 153MC). Further Murphy '163 teaches that top of the intermediate surface of articles 123 and 153 (symmetrical semi-housings), joined to the top portions shown as 123A and 153A by article 143, serve as middle plates formed at a middle portions of said semi-housings (Murphy – Figure 11 articles 123 and 153). Murphy '163 teaches an air impeller mounted between the bottom plate and the middle plate of the semi-housings (Murphy – Figure 11 article B1), and a motor mounted between the middle plate and the upper plate of the semi-housings (Murphy – Figure 11 articles 173), and having an output axle extending downwards for driving the air impeller (Murphy – Figure 11 article 175). With regards to claim 2 of the claimed invention, the semi-housings taught by articles 123 and 153 by Murphy '163 in Figure 11 are cylindrical. With regards to claim 5 of the claimed invention, the area in between articles 153 and 153A, and 123 and 123A, and bridged by article 143 form matching semi-grooves transversely defined at an outer periphery. Figure 11 of Murphy '163 is included in this document for reference on the following page.

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5,403,163



Murphy '163 does not teach that the top and bottom plates of the symmetrical semi-housings have multiple air inlets or multiple air outlets defined through a surface of the said plates, rather there is a single void or gap in each instance. Further Murphy '163 does not teach a circuit board installed in the housing and electrically connected with the motor although there is a means for making an electrical connection to the motor.

Bradbury et al. (US Patent No. 6,129,528) does teach a circuit board installed within the housing of a blower (Bradbury – Figure 4 article 52), as well as an upper plate with multiple openings throughout (Bradbury – Figure 1 article 70). A circuit board is commonly known within the art to be used as a switch mechanism for directing electric current. Bradbury et al. '528 shows that the circuit board, article 52 in Figure 4 within article 50 as shown in Figure 1, could be used as a switch mechanism within the housing of an air blower while consuming a small amount of space. The openings, on the top plate of the housing of Bradbury et al. '528, are separated by members attached to the inner circumference of the housing, article 70, which provide support for the apparatus. The openings of Bradbury et al. '528 would allow for the passage of air through the apparatus, which would prevent the motor from overheating, while minimizing the possibility of large pieces of debris entering into the housing enclosing the circuit board, motor, and impeller. Bradbury et al. '528 as applied to Murphy '163 would provide for a housing comprised of two symmetrical semi-

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housings, each having a top plate with multiple openings, and a circuit board mounted there within said housing. Therefore, it would have been obvious, to one of ordinary skill in the art, to combine Bradbury et al. '528 and Murphy '163 in order to provide an electric air blower comprised of a motor, that has an electric current directed to it via a switch mechanism (circuit board) that occupies minimal space within the housing of the said blower, and is supported by the top plates of two semi-housings with multiple openings that would allow for a passage of air while preventing large pieces of debris from entering said housing.

Kenny et al. (US Patent No. 3,322,331) teaches an air impeller driven by a motor, enclosed in a housing with a bottom plate with multiple openings for the passage of air (Kenny – Figure 2 article 16). The openings would allow for the passage of air through the apparatus, which prevents the motor from overheating, while minimizing the possibility of large pieces of debris entering into the housing enclosing the motor, and impeller. Kenny et al. '331 as applied to Murphy '163 and Bradbury et al. '528 would provide for a housing comprised of two symmetrical semi-housings, each having a bottom plate with multiple openings. Therefore, it would have been obvious, to one of ordinary skill in the art, to combine Kenny et al. '331 with Murphy '163 and Bradbury et al. '528 to provide a blower with a housing comprised of two symmetrical semi-housings, each having a bottom plate with multiple openings that allow passage of air,

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which prevents the components of said blower from overheating, while preventing large pieces of debris from entering said housing.

6. Claim 3 is rejected under 35 U.S.C. 103(a) as being unpatentable over the references as applied to claims 1, 2, and 5 above in view of Sibal (US Patent No. 2,245,015) and Chin-Chang (US Patent No. 6,644,843). Murphy '163 in view of Bradbury et al. '528 and Kenny et al. '163 as applied above, does not teach the electric air blower wherein the housing has two bulb caps respectively formed at the top surfaces of the semi-housing and matching each other to form a bulb chamber, and a bulb installed in the bulb chamber. Sibal '015 does teach a fan with a light bulb having a housing with a bulb cap (Figure 1 article 31) forming a bulb chamber (Figure 1) and a bulb (Figure 1 article #28).

The motivation for making the combination of Murphy '163, Bradbury et al. '528, Kenny et al. '163, and Sibal '015 is best exemplified by reference to Chin-Cheng US Patent No. 6,644,843. Chin-Cheng '843 states that it is commonly known that an inflatable display that is illuminated is a desirable invention. Combining Sibal '015 with Murphy '163, Bradbury et al. '528, and Kenny et al. '163, would have allowed for an inflatable object to be faceted to a stationary device (using the semi-groove as defined by Murphy '163) which continuously filled the object with air (Murphy '163 in view Bradbury et al. '528 and Kenny et al. '163,) and illuminated said object (article 31 of Sibal '015). Therefore in order to illuminate, and facet an inflatable device to an impeller so

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as to be continuously filled with air, it would have been obvious to one of ordinary skill in art, at the time the invention was made, to combine Murphy '163, Bradbury et al. '528, Kenny et al. '163, and Sibal '015, as noted above.

7. Claim 4 is rejected under 35 U.S.C. 103(a) as being unpatentable the references applied to claim 3 above in further view of Popovich (US Patent No. 2,595,406). Sibal '015 combined with Murphy '163, Bradbury et al. '528, and Kenny et al. '163 does not teach a bulb cap that has multiple elongated slots defined therethrough. Popovich '406 teaches a fan with a light having an enclosure with a number of openings (Popovich - Figure 3 article #52). The motivation for combination would be to provide a means of venting the heat radiating from the bulb. This would be desirable so that the enclosure around the bulb and/or the apparatus as a whole does not overheat. Therefore, it would have been obvious, to one of ordinary skill in the art, at the time the invention was made to combine Popovich '406 with the combination defined in paragraph 6 of this document.

Conclusion

8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure and are cited on form 892 herewith.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Leonard J. Weinstein whose telephone

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number is 571-272-9961. The examiner can normally be reached on Monday - Thursday 7:00 - 5:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Anthony Stashick can be reached on 571-272-4561. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

LJW



ANTHONY D. STASHICK
PRIMARY EXAMINER